IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 26286 of 1998

DATED: 8.8.2007

Between:

Bunga Papa Rao petitioner

And

A.P. State Electricity Board
Through its Member Secretary
At Vidyut Soudha, Hyderabad and 3 ors
respondents

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THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 26286 of 1998

ORAL ORDER:

This writ petition is filed seeking a direction to the respondents to verify the number of mandays put in by petitioner and to consider his case for appointment as junior lineman by setting aside the proceedings dated 28.7.1998.

The petitioner claims that he worked as casual labour under the control of 4th respondent in Pathipadu section for 153 days from 1.4.1979 to 2.11.1980 and entitled for appointment/absorption under B.P.Ms.No.36 dated 18.5.1997. Since his case was not considered in terms of B.P.ms.No. 36 dated 18.5.1997, he along with others filed W.P. No. 24015 of 1997 and in terms of the directions issued by this Court, he was issued with call letter and attended the interview. Thereafter vide proceedings dated 28.7.1998 his claim was rejected on the ground that he did not produce the service certificate indicating the number of mandays put in by him. The petitioner alleges that the Supervisor Incharge, has issued a service certificate but the same was lost in the floods during the year 1983 and that he has brought the said fact to the notice of the officials and also submitted representations but no action is taken by the respondents. Thus the petitioner seeks a direction to the respondents to verify the records available with them for the relevant period and to consider his case for appointment to the post of junior lineman in terms of B.P. Ms. No. 36 dated 18.5.1997.

Learned counsel for petitioner submitted that the petitioner has put in 153 man days from 1.4.1979 to 2.11.1980 and due to his misfortune he lost the service certificate issued by the officials in the

floods occurred in the year 1983 and prayed that the third respondent-Superintending Engineer may be directed to verify the relevant records for the subject period and to pass appropriate orders in accordance with law.

Heard the learned counsel for petitioner and learned standing counsel for respondent.

Since the petitioner claims that he has worked as contract labour under the control of the 4th respondent and in all has put in 153 man days in various spells during the period 1.4.1979 to 2.11.1980 and that he has lost the service certificate in the floods occurred in the year, 1983,
without expressing any opinion on the merits of the matter,
I deem it appropriate to dispose of the writ petition with the following directions;

The petitioner is directed to submit a detailed representation furnishing the details available with him with regard to the number of man days put in by him in various spells to the third respondent Superintending Engineer (Operations), Rajahmundry. On submitting such a representation, the third respondent is directed to examine the matter with reference to the available records in his office and if the petitioner's claim is found genuine and if he is eligible for consideration in terms of B.P.Ms No. 36 dated 18.5.1997, his case be considered for the post of Junior Lineman and pass appropriate orders in accordance with law, as expeditiously as possible.

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N.V.RAMANA,J

DATE: 8.8.2007

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